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Security Council

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Resolution 2165 (2014)

Adopted by the Security Council at its 7216th meeting, on 14 July 2014

The Security Council,

Recalling its resolutions 2042 (2012), 2043 (2012), 2118 (2013) and 2139 (2014), and its Presidential Statements of 3 August 2011, 21 March 2012, 5 April 2012 and 2 October 2013,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Syria, and to the purposes and principles of the Charter of the United Nations,

Being appalled at the unacceptable and escalating level of violence and the death of more than 150,000 people, including well over 10,000 children, as a result of the Syrian conflict as reported by the Special Representative of the Secretary-General for Children and Armed Conflict,

Expressing grave alarm at the significant and rapid deterioration of the humanitarian situation in Syria, at the fact that the number of people in need of assistance has grown to over 10 million, including 6.4 million internally displaced persons and over 4.5 million living in hard-to-reach areas, and that over 240,000 are trapped in besieged areas, as reported by the United Nations Secretary-General,

Deploring the fact that the demands in its resolution 2139 (2014) and the provisions of its Presidential Statement of 2 October 2013 (S/PRST/2013/15) have not been heeded by the Syrian parties to the conflict as stated in the United Nations Secretary-General's reports of 22 May 2014 (S/2014/365) and 20 June 2014 (S/2014/427), and *recognizing* that, while some steps have been undertaken by the Syrian parties, they have not had the necessary impact on the delivery of humanitarian assistance to all people in need throughout Syria,

Commending the indispensable and ongoing efforts of the United Nations, its specialized agencies and all humanitarian and medical personnel in Syria and in neighbouring countries to alleviate the impact of the conflict on the Syrian people,

Reiterating its appreciation for the significant and admirable efforts that have been made by the countries of the region, notably Lebanon, Jordan, Turkey, Iraq and Egypt, to accommodate the more than 2.8 million refugees who have fled Syria as a result of ongoing violence including the approximately 300,000 refugees who have

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fled since the adoption of resolution 2139 (2014), and *urging again* all Member States, based on burden-sharing principles, to support these neighbouring host countries to enable them to respond to the growing humanitarian needs, including by providing direct support,

Strongly condemning the continuing widespread violations of human rights and international humanitarian law by the Syrian authorities, as well as the human rights abuses and violations of international humanitarian law by armed groups,

Stressing the need to end impunity for violations of international humanitarian law and violations and abuses of human rights, and *reaffirming* that those who have committed or are otherwise responsible for such violations and abuses in Syria must be brought to justice,

Expressing grave alarm in particular at the continuing indiscriminate attacks in populated areas, including an intensified campaign of aerial bombings and the use of barrel bombs in Aleppo and other areas, artillery, shelling and air strikes, and the widespread use of torture, ill-treatment, sexual and gender-based violence as well as all grave violations and abuses committed against children, and *reiterating* that some of these violations may amount to war crimes and crimes against humanity,

Reiterating its demand that all parties demilitarize medical facilities, schools and other civilian facilities and avoid establishing military positions in populated areas and desist from attacks directed against civilian objects,

Reaffirming the primary responsibility of the Syrian authorities to protect the population in Syria and *reiterating* that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of civilians, and *recalling* in this regard its demand that all parties to armed conflict comply fully with the obligations applicable to them under international law related to the protection of civilians in armed conflict, including journalists, media professionals and associated personnel,

Recalling the need for all parties to respect the relevant provisions of international humanitarian law and the United Nations guiding principles of humanitarian emergency assistance,

Expressing grave alarm at the spread of extremism and extremist groups, the targeting of civilians based on their ethnicity, religion and/or confessional affiliations, *expressing further grave alarm* at the increased attacks resulting in numerous casualties and destruction, indiscriminate shelling by mortars, car bombs, suicide attacks, tunnel bombs as well as hostage taking, kidnappings, and attacks against civilian infrastructure including deliberate interruptions of water supply, *condemning* terrorism in all its forms and manifestations and *recalling* in this regard its resolutions 1373 (2001), 1624 (2005), 2129 (2013) and 2133 (2014),

Deeply disturbed by the continued, arbitrary and unjustified withholding of consent to relief operations and the persistence of conditions that impede the delivery of humanitarian supplies to destinations within Syria, in particular to besieged and hard-to-reach areas, and *noting* the United Nations Secretary-General's view that arbitrarily withholding consent for the opening of all relevant border crossings is a violation of international humanitarian law and an act of non-compliance with resolution 2139 (2014),

Emphasizing that the humanitarian situation will continue to deteriorate further in the absence of a political solution to the crisis, *reiterating* its endorsement of the Geneva Communiqué of 30 June 2012 (Annex II of resolution 2118 (2013)) and *demanding* that all parties work towards the immediate and comprehensive implementation of the Geneva Communiqué aimed at bringing an immediate end to all violence, violations and abuses of human rights and violations of international law, and facilitating the Syrian-led process launched in Montreux on 22 January 2014, leading to a transition that meets the legitimate aspirations of the Syrian people and enables them independently and democratically to determine their own future,

Recalling its intent, expressed in its resolution 2139 (2014), to take further steps in the case of non-compliance with the resolution,

Determining that the deteriorating humanitarian situation in Syria constitutes a threat to peace and security in the region,

Underscoring that Member States are obligated under Article 25 of the Charter of the United Nations to accept and carry out the Council's decisions,

1. *Reiterates* that all parties to the conflict, in particular the Syrian authorities, must comply with their obligations under international humanitarian law and international human rights law and must fully and immediately implement the provisions of its resolution 2139 (2014) and its Presidential Statement of 2 October 2013 (S/PRST/2013/15);

2. *Decides* that the United Nations humanitarian agencies and their implementing partners are authorized to use routes across conflict lines and the border crossings of Bab al-Salam, Bab al-Hawa, Al Yarubiyah and Al-Ramtha, in addition to those already in use, in order to ensure that humanitarian assistance, including medical and surgical supplies, reaches people in need throughout Syria through the most direct routes, with notification to the Syrian authorities, and to this end *stresses* the need for all border crossings to be used efficiently for United Nations humanitarian operations;

3. *Decides* to establish a monitoring mechanism, under the authority of the United Nations Secretary-General, to monitor, with the consent of the relevant neighbouring countries of Syria, the loading of all humanitarian relief consignments of the United Nations humanitarian agencies and their implementing partners at the relevant United Nations facilities, and any subsequent opening of the consignments by the customs authorities of the relevant neighbouring countries, for passage into Syria across the border crossings of Bab al-Salam, Bab al-Hawa, Al Yarubiyah and Al-Ramtha, and with notification by the United Nations to the Syrian authorities, in order to confirm the humanitarian nature of these relief consignments;

4. *Decides* that the United Nations monitoring mechanism shall be deployed expeditiously;

5. *Further decides* that the decisions contained in operative paragraphs two and three of this resolution shall expire 180 days from the adoption of this resolution, and shall be subject to review by the Security Council;

6. *Also decides* that all Syrian parties to the conflict shall enable the immediate and unhindered delivery of humanitarian assistance directly to people throughout Syria, by the United Nations humanitarian agencies and their

implementing partners, on the basis of United Nations assessments of need and devoid of any political prejudices and aims, including by immediately removing all impediments to the provision of humanitarian assistance;

7. *Notes* in this regard the role that ceasefire agreements that are consistent with humanitarian principles and international humanitarian law could play to facilitate the delivery of humanitarian assistance in order to help save civilian lives, and *further underscores* the need for the parties to agree on humanitarian pauses, days of tranquillity, localized ceasefires and truces to allow humanitarian agencies safe and unhindered access to all affected areas in Syria in accordance with international humanitarian law, and *recalls* that starvation of civilians as a method of combat is prohibited by international humanitarian law;

8. *Decides* that all Syrian parties to the conflict shall take all appropriate steps to ensure the safety and security of United Nations and associated personnel, those of its specialized agencies, and all other personnel engaged in humanitarian relief activities as required by international humanitarian law, without prejudice to their freedom of movement and access, *stresses* the need not to impede or hinder these efforts, and *recalls* that attacks on humanitarian workers may amount to war crimes;

9. *Reiterates* that the only sustainable solution to the current crisis in Syria is through an inclusive and Syrian-led political process with a view to full implementation of the Geneva Communiqué of 30 June 2012 endorsed as Annex II of its resolution 2118 (2013), *pays tribute* to the efforts of Mr. Lakhdar Brahimi, and *welcomes* the appointment of the Special Envoy of the United Nations Secretary-General for Syria Mr. Staffan de Mistura;

10. *Requests* the Secretary-General to report to the Council on the implementation of this resolution, and on compliance with it by all Syrian parties to the conflict, within the framework of its reporting on resolution 2139 (2014);

11. *Affirms* that it will take further measures in the event of non-compliance with this resolution or resolution 2139 (2014) by any Syrian party;

12. *Decides* to remain actively seized of the matter.